

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

AUG 22 2006

JOHN F. CORCORAN, CLERK  
BY: DEPUTY CLERK

In accordance with the Memorandum Opinion entered this day, it is hereby

**ADJUDGED and ORDERED**

that this action shall be and hereby is **DISMISSED** without prejudice, pursuant to 28 U.S.C. §1915A(b)(1), and stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to plaintiff and to counsel of record for the defendants.

ENTER: This 22<sup>nd</sup> day of August, 2006.

James L. Tuck  
Senior United States District Judge